

**Bureau of Customs and Border Protection, DHS, Treasury**

**§ 12.104b**

(iii) Original engravings, prints and lithographs;

(iv) Original artistic assemblages and montages in any material;

(8) Rare manuscripts and incunabula, old books, documents and publications of special interest (historical, artistic, scientific, literary, etc.) singly or in collections;

(9) Postage, revenue and similar stamps, singly or in collections;

(10) Archives, including sound, photographic and cinematographic archives;

(11) Articles of furniture more than 100 years old and old musical instruments.

(d) The term *designated archaeological or ethnological material* means any archaeological or ethnological material of the State Party which—

(1) Is—

(i) Covered by an agreement under 19 U.S.C. 2602 that enters into force with respect to the U.S., or

(ii) Subject to emergency action under 19 U.S.C. 2603 and

(2) Is listed by regulation under 19 U.S.C. 2604.

(e) The term *museum* means a public or private nonprofit agency or institution organized on a permanent basis for essentially educational or esthetic purposes, which, utilizing a professional staff, owns or utilizes tangible objects, cares for them, and exhibits them to the public on a regular basis (Museum Services Act; Pub. L. 94-462; 20 U.S.C. 968). For the purposes of these regulations, the term *recognized museum* under the Cultural Property Implementation Act shall be synonymous with *museum*.

(f) The term *Secretary* means the Secretary of the Treasury or his delegate, the Commissioner of Customs.

(g) The term *State Party* means any nation which has ratified, accepted, or

acceded to the 1970 UNESCO Convention.

(h) The term *United States* or *U.S.*, includes the customs territory of the United States, the U.S. Virgin Islands and any territory or area the foreign relations for which the U.S. is responsible.

[T.D. 86-52, 51 FR 6907, Feb. 27, 1986; 51 FR 15316, Apr. 23, 1986; 51 FR 17332, May 12, 1986]

**§ 12.104a Importations prohibited.**

(a) No article of cultural property documented as appertaining to the inventory of a museum or religious or secular public monument or similar institution in any State Party which was stolen from such museum, monument, or institution after April 12, 1983, or after the date of entry into force of the Convention for the State Party, whichever date is later, may be imported into the U.S.

(b) No archaeological or ethnological material designated pursuant to 19 U.S.C. 2604 and listed in § 12.104g, that is exported (whether or not such exportation is to the U.S.) from the State Party after the designation of such material under 19 U.S.C. 2604 may be imported into the U.S. unless the State Party issues a certificate or other documentation which certifies that such exportation was not in violation of the laws of the State Party.

**§ 12.104b State Parties to the Convention.**

(a) The following is a list of State Parties which have deposited an instrument of ratification, acceptance, accession or succession, the date of such deposit and the date of entry into force for each State Party:

State party	Date of deposit	Date of entry into force
Algeria .....	June 24, 1974 (R) .....	Sept. 24, 1974.
Angola .....	Nov. 7, 1991 (R) .....	Feb. 7, 1992.
Argentina .....	Jan. 11, 1973 (R) .....	Apr. 11, 1973.
Armenia, Republic of .....	Sept. 5, 1993 (S) .....	See Note 1.
Australia .....	Oct. 30, 1989 (Ac) .....	Jan. 30, 1990.
Bangladesh .....	Dec. 9, 1987 (R) .....	Mar. 9, 1988.
Belarus .....	Apr. 28, 1988 (R) .....	July 28, 1988.
Belize .....	Jan. 26, 1990 (R) .....	Apr. 26, 1990.
Bolivia .....	Oct. 4, 1976 (R) .....	Jan. 4, 1977.
Bosnia-Herzegovina .....	July 12, 1993 (S) .....	See Note 2.
Brazil .....	Feb. 16, 1973 (R) .....	May 16, 1973.
Bulgaria .....	Sept. 15, 1971 (R) .....	Apr. 24, 1972.
Burkina Faso .....	Apr. 7, 1987 (R) .....	July 7, 1987.